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**FAX TRANSMITTAL COVER SHEET**

TO : Derek Putonen

COMPANY : Commissioner for Patents

FROM : Lawrence M. Nawrocki

RE : Applicant : Anthony CHAN et al.  
Serial No. : 10/530,247

DATE : February 27, 2007

FAX NUMBER : 571-273-0459

NO. OF PAGES : 7

ENCLOSURES : PETITION IN ACCORDANCE WITH MPEP 711.03(c)A; Photocopy of  
Nawrocki, Rooney & Sivertson, P.A. docketing sheet dated October 26,  
2005

COMMENTS :

**RECEIVED**

27 FEB 2007

Legal Staff  
International Division**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper and the documents described herein are being facsimile transmitted  
to the United States Patent and Trademark Office

Carolyn I. Erickson

Type or print name of person signing certification



Signature

February 27, 2007

Date

PLEASE CALL Carolyn AT (612) 331-1464 IF ALL PAGES ARE NOT RECEIVED.

## P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Anthony CHAN et al.

Serial No. : 10/530,247

Examiner: Unknown

Filed : April 4, 2005

Group Art Unit: Unknown

For : GAS COMPRESSOR WITH DRIER AND RADIO EMISSION CONTROLS

Docket No. : 19525/101/101

PETITION IN ACCORDANCE WITH MPEP § 711.03(c)A

Commissioner for Patents  
PCT Legal Administration  
Alexandria, VA 22313-1450  
Attn: Derek Putonen

Sir:

Applicants hereby petition, in accordance with the provisions of MPEP § 711.03(c)A, that an action issued with regard to the above-captioned matter on August 26, 2005 be reissued.

The facts in support of this petition are as follows. On April 4, 2005, a TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 was filed with regard to the captioned matter. That form was accompanied by a copy of the international application as filed and a COMBINED DECLARATION/POWER OF ATTORNEY FOR PATENT APPLICATION. The DECLARATION was not, however, signed because of a filing deadline and an inability to obtain execution of the DECLARATION by the filing deadline. The unexecuted DECLARATION did, however, indicate a correspondence address of:

Lawrence M. Nawrocki  
NAWROCKI, ROONEY & SIVERTSON, P.A.  
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3433 Broadway Street Northeast  
Minneapolis, Minnesota 55413  
(612) 331-1464  
Customer No. 05909

The file was annotated, in view of the non-executed DECLARATION filed, to expect issuance of a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US). It was the experience of the undersigned that the length of time after filing of the TRANSMITTAL LETTER until receipt of the NOTIFICATION varied quite erratically. It was not uncommon, however, for it to take up to a year to receive such a NOTIFICATION. Approximately four months after the filing of the TRANSMITTAL LETTER and enclosures thereto, PAIR was checked on a relatively regular basis (approximately monthly) to see if any issuance of a NOTIFICATION was listed. No NOTIFICATION was ever received, and PAIR never reflected anything but that status was unavailable for the particular serial number with respect to which entry into the PAIR system was sought. The serial number used was one received on a return receipt postcard.

Recently, an inquiry was made with the PCT Help Desk of the United States Patent and Trademark Office in attempting to ascertain the status of the captioned matter. It was in response to such an inquiry that the undersigned was advised that a NOTIFICATION OF MISSING REQUIREMENTS document was issued on August 26, 2005 with a two-month response period. Again, that document was never received, and no docket entry was ever made for October 26, 2005, a date two months after the date of the paper requiring an executed DECLARATION. In support of the non-receipt of the NOTIFICATION, submitted herewith is a copy of this firm's docket sheet for October 26, 2005. Specific client names and invention identification information have been redacted. The Case ID

assigned for this matter is 19525.101101. It will be noted that there is no appearance of that docket number in the docket sheet for October 26, 2005.

During the undersigned's recent telephone call with Ms. Banks at the PCT Help Desk, it was ascertained that the PTO mailed the notification to an incomplete address. While the unsigned DECLARATION originally filed indicated a correspondence address as previously indicated, the undersigned has been advised that the address to which the NOTIFICATION was sent was merely:

NAWROCKI, ROONEY & SIVERTSON  
3433 Broadway Street N.E.  
Minneapolis, MN 55413

While mail addressed to this address might conceivably have gotten to the proper suite, it is submitted that the failure of the PTO to employ the full address identified in the DECLARATION was most likely responsible for the non-receipt of the NOTIFICATION by the undersigned.

When the undersigned was advised of the August 2005 issuance of the NOTIFICATION, he immediately undertook a search of the file jacket and docket records. That search confirmed that the Office Communication had not been received.

The undersigned would further point out that no NOTICE OF ABANDONMENT has ever been received. The undersigned inquired as to whether a NOTICE OF ABANDONMENT was ever mailed when he recently conversed with Ms. Banks of the PCT Help Desk, and it was indicated that no document of this nature has yet been sent.

In view of the facts outlined herein, the action taken by Applicants' agents, and the enclosures herewith, it is sincerely believed that approval of this petition would be appropriate. The granting of this petition is, therefore, earnestly solicited.

Please charge any deficiencies or credit any over payment to  
Deposit Account 14-0620.

Respectfully submitted,

Anthony CHAN et al.

By their attorney

Date February 27, 2007

Lawrence M. Nawrocki  
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Date: 02/20/2007

**Calendar by Due Date**  
**NAWROCKI, ROONEY & SIVERTSON, P.A.**

Page: 1

Case Range: to  
 Due Date Range: 10/26/2005 to 10/26/2005  
 User Range: to ZZ

Calendar Type(s): E,T  
 Incomplete Entries Only: No

10/26/2005 Wednesday

Time	User	Type	Completed	Description
hh:mm AM	JLR	T	10/26/2005	3 mo. DEADLINE for response Case ID: 33012.346101 AOP: PAT
hh:mm AM	JLR	T	08/15/2005	Rec'd. further office action? Case ID: 33012.323102 AOP: PAT
hh:mm AM	JLR	T	09/26/2005	Rec'd. further office action? Case ID: 33012.305101 AOP: PAT
hh:mm AM	JLR	T		Tickler for response to FINAL Case ID: 33012.331101 AOP: PAT
hh:mm AM	LMN	T	10/17/2005	Deadline for filing Missing Parts Case ID: 19571.101101 AOP: PAT
hh:mm AM	LMN	T		Tickler for response (1 mo. to deadline) Case ID: 19591.180101 AOP: PAT
hh:mm AM	LMN	T		6 mos. to renewal Case ID: 16011.402761 AOP: TM
hh:mm AM	LMN	T	10/26/2005	Deadline for requesting examination Case ID: 16011.103746 AOP: PAT
hh:mm AM	LMN	T	09/19/2005	Rec'd. first office action? Case ID: 19591.169101 AOP: PAT
hh:mm AM	LMN	T	02/24/2006	Rec'd. first office action? Case ID: 19591.168101 AOP: PAT
hh:mm AM	RCS	T	10/27/2005	Rec'd. further office action? Case ID: 16011.103105 AOP: PAT
hh:mm AM	WAS	T		2nd ext. for Statement of Use - abandoning Case ID: 55110.314101 AOP: TM
hh:mm AM	WAS	T	08/10/2005	Rec'd. notice of approval of ext.? Case ID: 55110.317101 AOP: TM
hh:mm AM	WAS	T	10/26/2005	2nd ext. for Statement of Use Case ID: 55133.464101 AOP: TM
hh:mm AM	WAS	T	09/12/2005	Rec'd. cert. of registration? Case ID: 55138.311372 AOP: TM
hh:mm AM	WAS	T	10/06/2005	DEADLINE for Statement of Use/1st Ext. - SOU filed Case ID: 55648.475101 AOP: TM
hh:mm AM	WAS	T		1 month to renewal/file Section 8 aff. Case ID: 55720.42811L AOP: TM
hh:mm AM	WAS	T	10/14/2005	DEADLINE for Statement of Use/1st Ext. - SOU filed Case ID: 55910.402101 AOP: TM
hh:mm AM	WAS	T	10/17/2005	DEADLINE for Statement of Use/1st Ext. - SOU filed Case ID: 55910.403101 AOP: TM

Date: 02/20/2007

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**Calendar by Due Date**  
NAWROCKI, ROONEY & SIVERTSON, P.A.

hh:mm AM	WAS	T	09/12/2005	Rec'd. cert. of registration? Case ID: 55910.405371 AOP: TM
hh:mm AM	WAS	T	09/12/2005	Rec'd. cert. of registration? Case ID: 55910.406371 AOP: TM
hh:mm AM	WAS	T		1 month to foreign filing Case ID: 55911.412101 AOP: TM
hh:mm AM	WAS	T	09/19/2005	Rec'd. first office action? Case ID: 55912.407101 AOP: TM
hh:mm AM	WAS	T	10/17/2005	2nd ext. for Statement of Use Case ID: 55913.434101 AOP: TM